

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION – DETROIT

IN THE MATTER OF:

Joseph G. DuMouchelle, and
Melinda J. Adducci
Debtors.

Bankruptcy Case No. 19-54531
Honorable Phillip J. Shefferly
Chapter 7

**ORDER GRANTING AUTHORITY TO ISSUE SUBPOENAS FOR THE
PRODUCTION OF DOCUMENTS AND THE EXAMINATION OF
WITNESSES**

THIS MATTER having come before the Court upon the Chapter 7 Trustee's Motion for Entry of Order Granting Authority to Issues Subpoenas for the Production of Documents and the Examination of Witnesses (the "Motion")¹; no timely objections having been filed and properly served, or if timely filed and properly served, having been overruled; notice of the Motion having been sufficient and appropriate; and the Court being otherwise fully advised in the premises;

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Motion is granted.
2. The Trustee is authorized to issue and serve Rule 2004 Subpoenas for examinations pursuant to Bankruptcy Rule 2004 without further order of the Court.

¹ Capitalized terms as used herein shall have the same meanings as prescribed to them in the Motion, unless otherwise provided herein.

3. The Trustee shall serve each Rule 2004 Subpoena and copy of this Order on the target of the Rule 2004 Subpoena.

4. The Trustee shall file with the Court a certificate of service for each Rule 2004 Subpoena he serves.

5. Recipients of a Rule 2004 Subpoena and any party in interest will have 14 days after any Rule 2004 Subpoena is served to object to and/or seek to quash such Rule 2004 Subpoena.

6. The Trustee shall include on the face of any Rule 2004 Subpoena that he issues the following language in bold, underlined font: **Recipients of a Rule 2004 Subpoena and any party in interest shall have 14 days after the date of service to object to and/or seek to quash such Rule 2004 Subpoena.**

7. Recipients of a Rule 2004 Subpoena are directed to produce, on a rolling basis, all responsive documents within 14 days of the service of the subpoena (unless otherwise agreed by the Trustee), subject to any documents withheld under a claim of privilege.

8. If a witness withholds any documents based upon a claim of privilege, the witness is obligated to provide counsel for the Trustee a privilege log containing the information required under Fed. R. Bankr. P. 7026(b)(5) within 14 days of the service of a Rule 2004 Subpoena upon that witness (unless otherwise agreed by the Trustee).

9. Recipients of a Rule 2004 Subpoena are directed to submit to oral examination upon reasonable notice and, absent other agreement with the Trustee, in no event more than 21 days from the service of a deposition subpoena upon the recipient of said subpoena.

10. This Court retains jurisdiction with respect to all matters relating to the interpretation or implementation of this Order.

Signed on March 3, 2020



/s/ Phillip J. Shefferly

Phillip J. Shefferly
United States Bankruptcy Judge